

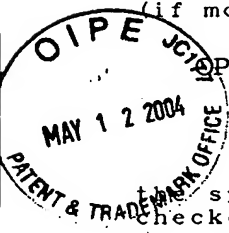
## DECLARATION FOR PATENT APPLICATION

03S0860-1

As a below named inventor, I declare:

that I verily believe myself to be the original, first and sole (if only one individual inventor is listed below) or an original, first and joint inventor (if more than one individual inventor is listed below) of the invention in

OPTICAL DISK AND METHOD FOR MANUFACTURING THE SAME



specification of which is attached hereto unless the following box is checked.

- ☐ was filed on \_\_\_\_\_ as United States Application or PCT International Application No. \_\_\_\_\_, and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365 (b) of any foreign application(s) for patent or inventor's certificate, or 35 U.S.C. 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Category</u>	<u>Application No.</u>	<u>Filing Date</u>	<u>Priority Claim</u>
Japan	Patent	2002-380278	December 27, 2002	Yes

I hereby appoint the registrants as Customer Number 00909 of Pillsbury Winthrop LLP, telephone number (703-905-2000) ; 1600 Tysons Boulevard, McLean, Virginia 22102, or any one of them(see below label); my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete from that Customer No. names of persons no longer with their firm and to add new persons of their firm to that Customer No., and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to be represented unless/until I instruct the above firm and/or an attorney of that firm in writing to the contrary.

BEST AVAILABLE COPY

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## DECLARATION FOR PATENT APPLICATION

I declare further that my mailing address is at c/o  
Intellectual Property Division, Toshiba Corporation, 1-1, Shibaura  
1-chome, Minato-ku, Tokyo 105-8001, Japan; and  
that my citizenship and residence are as stated below next to my name:

Inventor: (Signature)DateResidenceDate: December 17, 2003Citizen of: JapanKawasaki-shi, JapanYasuaki Ootera

Yasuaki Ootera

Date:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: Japan

**RECORDATION FORM COVER SHEET  
PATENT APPLICATIONS & PATENTS ONLY**

TO THE DIRECTOR OF THE US PATENT AND TRADEMARK OFFICE:  
SIR: PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

1. NAME OF CONVEYING PARTY(IES) (ASSIGNORS(S)):

1. Yasuaki Ootera

3.

5.

7.

2.

4.

6.

8.

ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED? ☐ YES ☒ NO

2. PARTY(IES) (ASSIGNEE(S)) RECEIVING INTEREST:

NAME: KABUSHIKI KAISHA TOSHIBA

ADDRESS: 1-1 Shibaura 1-chome, Minato-Ku, Tokyo, Japan

ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED? ☐ YES ☒ NO

3. NATURE OF CONVEYANCE (DOCUMENT):

(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document)

☒ ASSIGNMENT OF ☒ WHOLE ☐ PART INTEREST  
☒ ORIGINAL ☐ FACSIMILE/PHOTOCOPY  
☐ CHANGE OF NAME ☐ VERIFIED TRANSLATION  
☐ SECURITY ☐ MERGER ☐ OTHER:

EXEC. DATE: December 17, 2003

EXECUTION DATE(S) ON THE DECLARATION IF FILED HERewith: (**NOTE:** IF DATES ON DECLARATION AND ASSIGNMENT DIFFER SEE ATTY!) December 17, 2003

4.5 APPL. NO.(S) OR PAT NO.(S). OTHERS ON ADDITIONAL SHEET(S) attached? ☐ YES ☒ NO

A. PAT. APP. NO.(S) series code/serial no.	M#	1 <sup>st</sup> INVENTOR if not in item 1	B. PATENT NO(S)	M#	1 <sup>st</sup> INVENTOR if not in item 1
10/743,561	307355				

5. Name & Address of Party to Whom Correspondence  
Concerning Document Should be Mailed:

Pillsbury Winthrop LLP  
Intellectual Property Group  
P.O. Box 10500 McLean, VA 22102

6. NUMBER INVOLVED:

APPLNS 1 + PATS 0 = TOTAL = 1

7. AMOUNT OF FEE DUE: (Code 8021)

ABOVE TOTAL x \$40 = \$40

5.5 ATTY DKT:

P 307355

T4KN-03S0860-1

8. PLEASE CHARGE TO OUR DEPOSIT ACCOUNT

NUMBER: 03-3975

UNDER ORDER NO

008312

307355

MATTER NO.

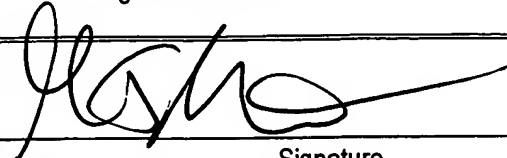
CLIENT REF.

dup. sheet not required

CLIENT NO.

MATTER NO.

9. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.



Signature

Attorney: Glenn T. Barrett

Reg. No. 38705

Date: April 13, 2004

Atty/Sec: GTB/SMW

TEL: (703) 905-2011

FAX: (703) 905-2500

10. Total number of pages including this  
cover sheet, attachments and document  
(do not file dup. Cover sheet)

3

FILE WITH PTO RETURN RECEIPT (PAT-103A)

BEST AVAILABLE COPY

## A S S I G N M E N T

In consideration of value received, I, having a mailing address at c/o Intellectual Property Division, Toshiba Corporation, 1-1, Shibaura 1-chome, Minato-ku, Tokyo 105-8001, Japan and a residence as stated below next to my name, the sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of an invention described in an application for United States patent entitled:

OPTICAL DISK AND METHOD FOR MANUFACTURING THE SAME

said application having been filed on December 23, 2003  
and assigned Application No. 10/743,561 ;  
sell and assign to  
KABUSHIKI KAISHA TOSHIBA  
a corporation of Japan, having a business address at  
1-1 Shibaura 1-chome, Minato-Ku, Tokyo, Japan

its successors, assigns or nominees, hereinafter referred to as "Assignee", my entire right, title and interest in and to said invention as disclosed, shown and described in said application for United States patent: (check one)

☒ executed concurrently herewith;

☐ executed separately herefrom;

and in and to all applications for patent and patents for said invention, in all countries of the world, including all divisions, reissues, continuations, substitutions and extensions thereof and all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property, including rights of priority, resulting from the filing of any of said applications; and I authorize and request any official whose duty is to issue patents, to issue any patent on said invention or resulting therefrom to said Assignee, and I agree that on request and without further consideration, but at the expense of said Assignee, I will communicate to said Assignee or its representatives all facts known to me respecting said invention and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue, or other applications, make all rightful oaths and declarations, and generally do everything possible to aid said Assignee to obtain and enforce proper patent protection for said invention in all countries.

I hereby grant the following law firm the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the Rules of the U. S. Patent and Trademark Office for recordation of this document.

Pillsbury Winthrop LLP, 1600 Tysons Boulevard,  
McLean, Virginia 22102

# A S S I G N M E N T

03S0860-1

Inventor: (Signature)

Date

Residence

Yasuaki Ootera  
Yasuaki Ootera

December 17, 2003

Kawasaki-shi, Japan

RECORDING OFFICER:

After recording please return to:  
Pillsbury Winthrop LLP

1600 Tysons Boulevard  
McLean, Virginia 22102

BEST AVAILABLE COPY